

**Notice of Allowability**

Application N

09/877,921

Examiner

Tuan N Nguyen

Applicant(s)

MORIARTY ET AL.

Art Unit

2828

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 01/15/2004.
2. ☒ The allowed claim(s) is/are 20-29.
3. ☒ The drawings filed on 10 October 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 01/15/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### DETAIL ACTIONS

1. The double patenting has been withdrawn, due to error on the examiner part in reciting the wrong Application number, and reciting applicant's "continue in part" current case.

### EXAMINER'S AMENDMENT

2. The amended claims 20-29 filed on 01/15/2004 have been entered, claims 1-19 have been canceled.
3. An examiner's amendment to the record appears below, to the amended claims 25 and 26. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jessica W. Smith (Attorney for Applicant, Reg. No. 39884) on April 16, 2004.

In the claims:

- a. Claim 25, line 12, **after** "laser diode", **add** -- and is generated by a feedback device that receives the output signal emitted from the laser diode --;
- b. Claim 26, line 1, **after** "wherein the", **delete** - - wavelength compensation signal is generated by --, and **add** -- feedback device that receives the output signal emitted from the laser diode is --.

### REASON FOR ALLOWANCE

*Allowable Subject Matter*

4. The following is an examiner's statement of reasons for allowance - Applicant's response filed on 01/15/2004 has been considered, with respect to claims 1, 22, 25 the references of the record fail to teach or suggest:

A control circuit for a laser diode, the circuit comprising: a power control circuit for controlling an adjustable bias current to the laser diode that includes: a bias current source that provides an adjustable bias current to the laser diode and having a power reference voltage input; a power monitor loop including a backface diode for monitoring the laser diode power output to provide a power monitor signal, a power control signal combined with the power monitor signal to provide a power adjust signal, wherein the bias current source adjusts the bias current responsive to a difference between the power reference voltage input and the power adjust signal, and a temperature control circuit that provides a control current to a thermoelectric element for controlling temperature operation and wavelength of the laser diode that includes: temperature reference voltage input; a temperature monitor loop including a) temperature sensor for monitoring the temperature operation point to provide a temperature monitor signal, a wavelength compensation signal combined with the temperature monitor signal to provide a wavelength control signal, wherein the wavelength compensation signal is proportional to the power control signal; wherein the temperature control circuit adjusts the control current to the thermoelectric element responsive to a difference between the temperature reference voltage input and the wavelength control signal to help maintain operation of the laser diode around a nominal operating wavelength.

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5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

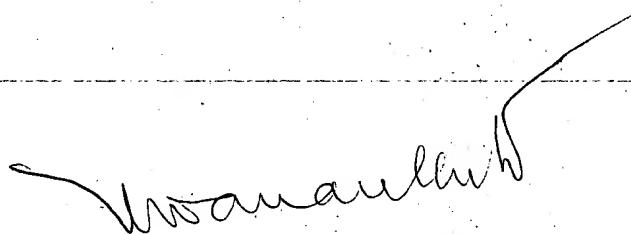
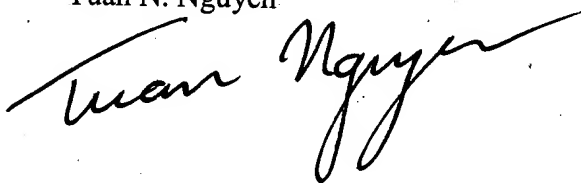
***Communication Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan N Nguyen whose telephone number is (571) 272-1948. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-3329.

Tuan N. Nguyen



Hoanganh Le  
Primary Examiner